



# Town Of Amenia

4988 Route 22, PO BOX 126, AMENIA, NY 12501  
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## PLANNING BOARD MEETING THURSDAY, OCTOBER 6, 2011

Present: Chairman Flood  
Peter Clair  
James Walsh  
Norm Fontaine  
Nina Peek  
Tony Robustelli  
Larry Moore  
Michael Hayes, Attorney

MOTION TO OPEN THE PLANNING BOARD MEETING FOR THURSDAY, OCTOBER 6, 2011 AT 7: 00 P.M. was made by Peter Clair, seconded by James Walsh

ALL IN FAVOR - MOTION CARRIED

### **PUBLIC HEARING:**

<b>Leedsville Realty</b>	<b>Lot Line Adjustment</b>	<b>486-496 Leedsville Road Amenia, NY</b>
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Chairman Flood read the Public Hearing Notice as published in the newspaper.

MOTION TO OPEN THE PUBLIC HEARING FOR LEEDSVILLE REALTY, LOT LINE ADJUSTMENT was made by Peter Clair, seconded by James Walsh

ALL IN FAVOR - MOTION CARRIED

Brian Houston, representing the Leedsville Realty owners, Jim Flaherty and Bob Skibsted spoke to the Board. He told the Board the owners own 3 parcels of land on Leedsville Road. Two of the parcels have single family residences and the third is vacant. The owners propose to merge the vacant lot of 3.12 acres with the adjoining lot to create a lot of 5.41 acres. From that lot they would like to convey two small parcels .06 of an acre and .32 of an acre and merge it with the

other property adjoining which would create a lot of 1.47 acres. Each lot has its own well and septic system and is in the RR zone. The lots are pre-existing, non-conforming and by merging those two lots it would put the one parcel above the 5 acre zoning.

There was no Public Comment

MOTION TO CLOSE THE PUBLIC HEARING FOR LEEDSVILLE REALTY was made by Tony Robustelli, seconded by Peter Clair

ALL IN FAVOR - MOTION CARRIED

Chairman Flood then went over the short Environmental Assessment Form.

MOTION FOR A NEG DEC was made by Tony Robustelli, seconded by Larry Moore

ALL IN FAVOR - MOTION CARRIED

MOTION TO APPROVE THE LOT LINE CHANGE APPLICATION FOR LEEDSVILLE REALTY was made by Peter Clair, seconded by James Walsh

ALL IN FAVOR - MOTION CARRIED

<b>Kain</b>	<b>Lot Line Adjustment</b>	<b>235 Perry Corners Road Amenia, NY</b>
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Chairman Flood read the Public Hearing Notice as published in the newspaper.

MOTION TO OPEN THE PUBLIC HEARING FOR JERARD KAIN, LOT LINE ADJUSTMENT was made by James Walsh, seconded by Tony Robustelli

ALL IN FAVOR - MOTION CARRIED

Roger Keating of the Chazen Company representing Mr. Kain told the Board this was a simple lot line adjustment. In the northwestern corner of Mr. Kain's property there is a small triangular piece consisting of .28 acres and he is looking to convey this to Northern Dutchess Properties. This will reduce Mr. Kain's lot down to 5.23 acres; there is no proposed building or structures on this site.

Public Comment: George Fenn asked if there would still be a shared driveway. Mr. Keating

stated there is still a shared driveway but Mr. Kain installed his own driveway.

MOTION TO CLOSE THE PUBLIC HEARING FOR JERARD KAIN, LOT LINE  
ADJUSTMENT was made by Peter Clair, seconded by James Walsh

ALL IN FAVOR - MOTION CARRIED

Chairman Flood then went over the short Environmental Assessment Form.

MOTION FOR A NEG DEC was made by Peter Clair, seconded by James Walsh

ALL IN FAVOR - MOTION CARRIED

MOTION TO APPROVE THE LOT LINE CHANGE FOR JERARD KAIN, 235 PERRY  
CORNERS ROAD was made by James Walsh, seconded by Peter Clair

ALL IN FAVOR - MOTION CARRIED

#### **REGULAR MEETING:**

<b>Roxbury</b>	<b>Site Plan/Special Use Permit</b>	<b>Old Route 22</b>
		<b>Amenia, NY</b>

Mr. Weigelt met with Chairman Flood and Mr. Weigelt has withdrawn the application for composting as well as the storage of pallets. Mr. Weigelt felt it is too late, too controversial and it is too involved without the help of engineers at this time.

<b>Cook</b>	<b>Timber Harvest</b>	<b>Poplar Hill Road</b>
		<b>Town of Amenia</b>

No Escrow check has been received to date.

Norm Fontaine : Since we have a forester, Doug Ramey, who oversees all the harvesting, I have received comments about timber harvesting on Cascade Road, above the winery. Chairman Flood will notify Doug Ramey to check this out. Michael Hayes stated that usually a Forest Management Plan has a time frame. If the time frame needs to be extended, they must come back before the Board to get that extension. Mr. Fontaine wanted to know how long was this plan approved for? Mr. Hayes stated he must look at the Forestry Management Plan set forth by Mr. Ramey. What the Board is actually giving is site plan approval on these timber harvesting projects.

**Nextel Cell Tower**

**ZBA Height Variance**

**DeLavernne Hill  
Amenia, NY**

There will be a joint meeting with the ZBA on October 19<sup>th</sup> at 7:00 P.M. to discuss the celltower. A representative from Nextel as well as their attorney will be present. Michael Hayes stated that a lawsuit has been filed three different times regarding this cell tower and each time it has been dismissed. The Federal Court of Appeals stated there will be no more attempts to litigate those issues. Nextel's permit is going to expire so they must renew the variance and special use permit. One question to be discussed will be who will be the lead agency. If the application has been filed by 10/19/2011 what date could be set for a public hearing as the permit expires sometime in January 2012. Another question would be does the Board want to hire a cell tower consultant to look at the application?

**Silo Ridge**

**Amenia, NY**

Chairman Flood met with Silo Ridge Attorneys, Supervisor Eurvard, Michael Hayes and the County Wastewater Authority last Wednesday. The MOU still has some issues to work out, however the attorneys are working on them.

MOTION TO CLOSE THE PLANNING BOARD MEETING was made by James Walsh, seconded by Peter Clair

ALL IN FAVOR - MOTION CARRIED

Respectfully submitted,

Susan M. Metcalfe  
Planning Board Secretary

The foregoing represents unapproved minutes of the Town of Amenia from a meeting held on October 6, 2011 and are not to be construed as the final official minutes until so approved.

    X     Approved as read 11-03-2011

           Approved with: deletions, corrections, and additions

